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State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

December 23, 2009

Certified Return Receipt
7003 2260 0002 0247 8966

Bonnie Birch Jensen
Peat Humus
680 East Capitol Blvd
Salt Lake City, UT 84103

Subject: Withdrawal of Acceptance of Notice of Intention to Commence Small Mining Operations and Order to Complete Reclamation, Bonnie Birch Jensen, Peat Humus, S/023/0058, Juab County, Utah

Dear Ms. Jensen:

Pursuant to UCA 40-8-16(b) and R647-3-111.1.11, effective immediately, the acceptance of your Notice of Intention to Conduct Small Mining Operations for the Peat Humus mine, file number S/023/0058 is withdrawn. You no longer have authority to conduct mining related activities or removal of product from the site.

The Division is taking this action at this time, since you have failed to provide the required reclamation surety for this site and you have not remitted the required annual permit fee. The permit fee was last paid in 2007 for 2006-2007. The Division never received a reclamation surety in spite of four letters sent in 2006-2007 notifying you of this requirement.

As per UCA 40-8-16(3) and R647-3-111.1.11, you have a right to appeal this decision and request a formal hearing on the matter. To do so, you must file a written request to appeal no later than **January 14, 2010**. Contact Julie Carter, Administrative Secretary, at (801) 538-5277, if you wish to exercise your right to appeal this decision before the Board of Oil, Gas and Mining. She can provide you with appropriate guidance and assistance in preparing your formal hearing request. Your failure to file such a request may preclude you from further participation, appeal, or judicial review with regard to this action. If you choose not to appeal this action, the Division's decision will become final.

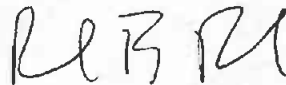


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You are hereby ordered to reclaim the site. Reclamation must be completed no later than March 15, 2010, although the Division would be willing to consider a request for an extension to this deadline due to adverse weather conditions. If you fail to complete reclamation within this time period, the Division will request an order from the Board of Oil, Gas and Mining for the Division to conduct reclamation. With approval from the Board, the Division will bring a civil action to recover the costs and expenses of reclamation, together with the costs of collection, including attorneys' fees.

If you have any questions regarding this Notice you may contact me at 801-538-5261 or Wayne Western at 801-538-5263.

Sincerely,

A handwritten signature in black ink, appearing to read 'P. B. Baker', is written over a horizontal line.

Paul B. Baker
Minerals Program Manager

PBB:pb

cc: Steve Alder, Attorney General's Office
Fredric Donaldson, Attorney Generals office

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